

**FIRST AMENDMENT TO THE AGREEMENT FOR  
PROFESSIONAL CONSULTANT SERVICES  
CONSTRUCTION MANAGEMENT AND ADMINISTRATION SERVICES  
REPLACEMENT OF 7.5 MG RESERVOIR AND WATER IMPROVEMENTS  
PROJECT NUMBER 9128**

**THIS FIRST AMENDMENT TO THE PROFESSIONAL CONSULTANT SERVICES AGREEMENT** ("Amendment") is made and effective as of July 25, 2022 between the City of Upland, a municipal corporation ("City") and **Richard Brady and Associates, Inc.** ("Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

**RECITALS**

Whereas, the parties entered into a professional services agreement on November 30, 2020, for Professional Consulting Services Agreement;

Whereas, the services support the Public Works Department in providing construction management and administration services for the construction of a 7.5 MG reservoir and associated water improvements.

Whereas, the parties believe it to be efficient and beneficial to modify the Agreement to facilitate continued construction management of the reservoir and water improvements due to schedule impacts, significant procurement issues, material delivery sequencing, additive and deductive change order management, and contractor extended durations on some construction activities.

NOW THEREFORE, in consideration of the mutual promises and undertakings of the parties hereinafter set forth, the parties to the Agreement agree as follows:

**AMENDMENT**

Section 5.a of the Agreement is amended to add the following at the end thereof:

In consideration for the additional costs as described in the third recital of the First Amendment, City shall pay Consultant an additional Six Hundred Ninety-Eight Thousand Seven Hundred Nine Dollars (\$698,709.00), bringing the total not-to-exceed amount of compensation under the Agreement to One Million Eight Hundred Ninety-Six Thousand Four Hundred Forty-Four Dollars (\$1,896,444.00).

**Except as expressly amended by the terms of this Amendment, all terms and provisions of the Agreement shall remain in full force and effect.**

**IN WITNESS WHEREOF**, the parties hereto have caused this Amendment to be executed the day and year first above written.

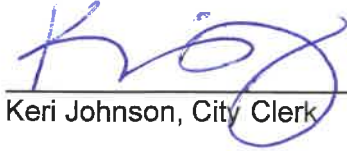
**CITY OF UPLAND**

a California municipal corporation



Michael Blay, City Manager

Attest:



Keri Johnson, City Clerk

Approved As to Legal Form:



Stephen Deutsch, City Attorney

**CONSULTANT**

Brady

2655 Camino Del Rio North, Suite 100  
San Diego, CA 92108

By: 

Name: Christopher Dull

Title: President

By: 

Name: Richard Brady

Title: CEO